

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/7/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	20-CR-102 (VEC)
	:	
	:	<u>ORDER</u>
JOSE ANDRE URENA SANCHO	:	
	:	
Defendant.	:	
-----	:	
	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS Mr. Urena's sentencing is scheduled for Tuesday, February 8, 2022 at 2:30 P.M. in Courtroom 443 of the Thurgood Marshall Courthouse, Dkt. 85;

WHEREAS it has been determined that Courtroom 443 has adequate ventilation to allow people to remove their masks when speaking, provided they are appropriately socially distanced;

WHEREAS notwithstanding the adequate ventilation, based on a new Courthouse-wide safety protocol, no one may unmask in Courtroom 443 unless he or she has tested negative for COVID-19 using an approved molecular diagnostic test (antigen tests are not approved); and

WHEREAS if a person has had a confirmed case of COVID-19 (verified by either a doctor's note or a viral test result) within the prior ninety days, he or she will be exempted from these testing requirements provided that confirmation of negative test results (or of a prior case of COVID- 19) is provided to the Court through its staff.

IT IS HEREBY ORDERED that this policy will be in effect for the February 8, 2022 sentencing. It applies to all parties, counsel, and Court staff who wish to speak without a mask. Counsel should make adequate preparations to comply with the requirements before arriving to the hearing, as the Court will not grant any delay because of this policy. Alternatively, if counsel

or the parties do not wish to undergo testing, they may choose to remain masked at all times, including while speaking.

IT IS FURTHER ORDERED that the Court has tests that can be made available to the parties and counsel free-of-charge provided that there is 24-hours' notice sent to covid_response@nysd.uscourts.gov; arrangement must be made to take the test at least one hour prior to the scheduled appearance time. Alternatively, counsel and parties may arrange to be tested away from the Courthouse.

Only the following tests have been approved:

- PCR / RT-PCR / ddPCR / Rapid PCR (Polymerase Chain Reaction)
- NAA / NAAT (Nucleic Acid Amplification)
- AMP PRB (Amplified Probe) • LAMP (Loop-mediated Isothermal Amplification)
- Accepted molecular diagnostic test brands, including but not limited to:
 - Abbott ID NOW
 - Quidel Lyra PCR
 - Abbott Realtime PCR
 - Cobas Qualitative PCR
 - FTD PCR
 - Xpert Xpress
 - Simplexa Direct PCR
 - RUCDR Infinite Biologics
 - Lucira Health

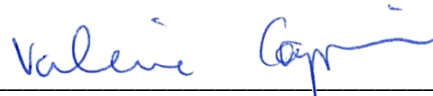
The following tests are NOT approved:

- All tests that do not have FDA authorization or approval
- All Antigen (Ag) tests (including but not limited to Quidel Sophia, Abbott BinaxNOW Rapid Antigen Tests)
- All Antibody tests (such as IgG, IgA, IgM and Rapid Antibody Tests)
- All blood tests (such as fingerstick, venipuncture)
- All plasma tests
- All serum tests

Anyone wishing to remove his or her mask must provide the Court with proof that he or she has taken an approved test within the last 24 hours as to which the results were negative. Any questions regarding this order should be directed to covid_response@nysd.uscourts.gov.

SO ORDERED.

Date: February 7, 2022
New York, NY

A handwritten signature in blue ink, reading "Valerie Caproni", is positioned above a horizontal line.

VALERIE CAPRONI
United States District Judge

Instructions for Courthouse Entry

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

Weblink: <https://app.certify.me/SDNYPublic>

Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.